



AFJ
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Douglas A. Treco et al. Art Unit : 1646
Serial No. : 09/716,166 Examiner : D. Jiang
Filed : November 17, 2000
Title : CONSTRUCTS AND CELLS FOR PRODUCTION OF SMALL PEPTIDES

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the action dated April 6, 2005, finally rejecting claims 1-6, 8-14, 17, 19, 21-46 and 83-93.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for 3 month(s) to and including October 6, 2005 is enclosed.

A check in the amount of \$250 for the appeal fee is enclosed. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 9/20/05

Laurie Lawrence
Laurie Butler Lawrence
Reg. No. 46,593

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

21169611.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

September 20, 2005
Date of Deposit
Nancy Bechet
Signature
Nancy Bechet
Typed or Printed Name of Person Signing Certificate

09/26/2005 BABRAHA1 00000038 09716166

01 FC:2401

250.00 0P